

EXHIBIT 5

From: Hassan Abbas <hassan.abbas@haa-law.com>
Sent: Monday, February 19, 2018 1:52 PM
To: Lee, Alvin; Bicks, Peter; Howard, Kyle S.
Subject: New complaint to be filed. Fwd: Activity in Case 1:12-cv-08089-RJS Midamines SPRL Ltd. et al v. KBC Bank NV et al Order

Me. Lee,

As you may be aware your motion has been denied and your improper request for a nationwide injunction rejected by Hon. Judge Sullivan in the New York federal court as well as your collateral estoppel argument was rejected by Hon. Tharp, Jr., of the Illinois federal court who stated there is no general filing injunction in Illinois (except in Hon. Judge Tharp's court) and the complaint is not frivolous as concluded by Hon. Judge Tharp, Jr. Your motion for nationwide injunction is vexatious and frivolous. Your attempt to prevent Plaintiff from seeking their rights to recover money from the crooked bank KBC is improper and unjustifiable. Your crooked client KBC must return the money it has stolen from us. I have prepared the new complaint which will be refilled in Illinois and we will continue filing as far and as wide as the law permits to obtain our money. I ask again that KBC pay immediately our checks and interest for a total of \$150,000 before I refile the case. Please let me know if KBC will resolve matters amicably and avoid time consuming and expensive litigation. Thank you for your cooperation.

Hassan A. Abbas
Attorney at Law

Sent from my iPhone

Begin forwarded message:

From: <NYSD_ECF_Pool@nysd.uscourts.gov>
Date: February 16, 2018 at 2:31:28 PM GMT+2
To: <CourtMail@nysd.uscourts.gov>
Subject: Activity in Case 1:12-cv-08089-RJS Midamines SPRL Ltd. et al v. KBC Bank NV et al Order

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U.S. District Court

Southern District of New York

Notice of Electronic Filing

The following transaction was entered on 2/16/2018 at 7:31 AM EST and filed on 2/15/2018

Case Name: Midamines SPRL Ltd. et al v. KBC Bank NV et al

Case Number: [1:12-cv-08089-RJS](#)

Filer:

WARNING: CASE CLOSED on 03/25/2014

Document Number: [128](#)

Docket Text:

ORDER: Defendant now seeks to re-open this case, which was dismissed on forum non conveniens grounds nearly four years ago (Doc. No. 55), in order to dramatically expand the scope of this Court's filing injunction. Although the Court sympathizes with Defendant's concern about vexatious litigation in other jurisdictions, given that this Court has already dismissed Plaintiffs' Complaint, and that Plaintiffs are not alleged to have violated this Court's injunction, the Court does not believe that Defendant's contemplated motion would be properly before it. Of course, if and when Plaintiffs follow through on their alleged threat to file duplicative lawsuits in one or more other jurisdictions, Defendant may cite this Court's filing injunction as evidence of Plaintiffs' vexatious litigation history and seek appropriate relief, including a nationwide filing injunction, in those cases. See, e.g., *lipin v. Hunt*, 14- cv-01081 (RJS), at *5-6 (S.D.N.Y. September 18, 2014) (granting nationwide filing injunction in connection with dispositive motion). But given the procedural posture here, the Court finds no basis for re-opening this case in order to bar Plaintiffs from accessing courts far and wide beyond the scope of the Court's existing injunction. Accordingly, Defendant's motion is deemed made and DENIED. SO ORDERED. (Signed by Judge Richard J. Sullivan on 2/14/2018) (rj)

1:12-cv-08089-RJS Notice has been electronically mailed to:

Helen Gredd hgredd@lswlaw.com, Rmarchitello@lswlaw.com

Peter A. Bicks pbicks@orrick.com, nymao@orrick.com

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Alvin Young Lee alee@orrick.com, khoward@orrick.com

1:12-cv-08089-RJS Notice has been delivered by other means to:

Hassan A. Abbas
19 Don Carlos Drive
Hanover Park, IL 60133

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1008691343 [Date=2/16/2018] [FileNumber=19679132-

0] [1b197d92a3254131313097a5095864ee22979ddd473c869076b644c1f5641c43fd
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